

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

RICKIE L. HILL,

Plaintiff,

vs.

RENE BAKER, *et al.*,

Defendants.

3:11-cv-00717-LRH-WGC

**ORDER**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. On April 12, 2012, the court issued an order deferring the ruling on plaintiff's motion to proceed *in forma pauperis*, screening plaintiff's first amended complaint, and staying this case for ninety days. (ECF No. 13.) On July 11, 2012, at the expiration of the stay, defendants informed the court that the parties have not reached a settlement. (ECF No. 20.) Accordingly, the court addresses plaintiff's motion to proceed *in forma pauperis*. (ECF No. 6.) Based on the financial information provided, the court finds that plaintiff is unable to prepay the full filing fee in this matter.

**IT IS ORDERED** as follows:

1. Plaintiff's motion to proceed *in forma pauperis* (ECF No. 6) is **GRANTED**; plaintiff

1 shall not be required to pay an initial installment of the filing fee. In the event that  
2 this action is dismissed, the full filing fee must still be paid pursuant to 28 U.S.C. §  
3 1915(b)(2).

4 2. The movant herein is permitted to maintain this action to conclusion without the  
5 necessity of prepayment of any additional fees or costs or the giving of security  
6 therefor. This order granting leave to proceed *in forma pauperis* shall not extend to  
7 the issuance of subpoenas at government expense.

8 3. Pursuant to 28 U.S.C. § 1915(b)(2), the Nevada Department of Corrections shall pay  
9 to the Clerk of the United States District Court, District of Nevada, 20% of the  
10 preceding month's deposits to plaintiff's account (inmate #82018), in the months that  
11 the account exceeds \$10.00, until the full \$350.00 filing fee has been paid for this  
12 action. The Clerk of the Court shall **SEND** a copy of this order to the Finance  
13 Division of the Clerk's Office. The Clerk shall also **SEND** a copy of this order to the  
14 attention of the Chief of Inmate Services for the Nevada Department of Corrections,  
15 P.O. Box 7011, Carson City, NV 89702.

16 4. The Clerk shall electronically **SERVE** a copy of this order and a copy of plaintiff's  
17 first amended complaint (ECF No. 11) on the Office of the Attorney General of the  
18 State of Nevada, attention Pamela Sharp.

19 5. Within twenty-one (21) days of entry of this order, the Attorney General's Office  
20 shall file a notice advising the Court and plaintiff of: (a) the names of the defendants  
21 for whom it accepts service; (b) the names of the defendants for whom it does **not**  
22 accept service, **and** (c) the names of the defendants for whom it is filing last-known-  
23 address information under seal. As to any of the named defendants for whom the  
24 Attorney General's Office cannot accept service, the Office shall file, under seal, the  
25 last known address(es) of those defendant(s) for whom it has such information.

26 6. If service cannot be accepted for any of the named defendant(s), plaintiff shall file a

1 motion identifying the unserved defendant(s), requesting issuance of a summons, and  
2 specifying a full name for the defendant(s). For the defendant(s) as to which the  
3 Attorney General has not provided last-known-address information, plaintiff shall  
4 provide the full name **and** address for the defendant(s).

5 7. If the Attorney General accepts service of process for any named defendant(s), such  
6 defendant(s) shall file and serve an answer or other response to the complaint within  
7 **sixty (60) days** from the date of this order.

8 8. Henceforth, plaintiff shall serve upon defendant(s) or, if an appearance has been  
9 entered by counsel, upon their attorney(s), a copy of every pleading, motion or other  
10 document submitted for consideration by the court. Plaintiff shall include with the  
11 original paper submitted for filing a certificate stating the date that a true and correct  
12 copy of the document was mailed to the defendants or counsel for the defendants. If  
13 counsel has entered a notice of appearance, the plaintiff shall direct service to the  
14 individual attorney named in the notice of appearance, at the address stated therein.  
15 The court may disregard any paper received by a district judge or magistrate judge  
16 which has not been filed with the Clerk, and any paper received by a district judge,  
17 magistrate judge, or the Clerk which fails to include a certificate showing proper  
18 service.

19 **IT IS SO ORDERED.**

20 DATED: August 14, 2012.

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23 UNITED STATES MAGISTRATE JUDGE  
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